

1 Honorable James L. Robart
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IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

TOBY MEAGHER, through his Power of
Attorney, GERALDINE McNAMARA,

Plaintiff,

v.

KING COUNTY, and OFFICERS
RODNEY PRIOLEAU, BRIAN
O'FARRELL, THERON MCCAIN JR.,
RONNY LEE KINTNER, J. GARCIA,
AND DEFENDANT DOES 1 – 10,

Defendants.

Case No. 2:19-CV-00259 JLR

**ORDER APPOINTING LITIGATION
GUARDIAN AD LITEM**

THIS MATTER having come before the Court upon the Petition of Tomás A. Gahan, Peterson Wampold Rosato Feldman Luna, counsel for Plaintiff, and the Court having reviewed said Petition and the attachment thereto, having reviewed the evidence presented by counsel, and being fully advised in the premises, now, therefore, IT IS HEREBY ORDERED, ADJUDGED AND DECREED as follows:

A) Toby Meagher does not have a court appointed representative.

B) A Litigation Guardian ad Litem should be appointed for Toby Meagher the incompetent Plaintiff, pursuant to FED. R. CIV. P. 17(c)(2), to protect him/her.

C) Attorney Joshua L. Brothers has the appropriate expertise and background to serve as Litigation Guardian ad Litem for Toby Meagher.

D) Joshua L. Brothers is appointed as Litigation Guardian ad Litem for Toby Meagher to represent the interests of Toby Meagher in this matter, including the authority to direct counsel regarding litigation decisions that the incompetent Plaintiff would otherwise direct if he/she had capacity, subject to the limitations in Western District of Washington Local Civil Rule (“LCR”) 17(c).

E) All communications between Plaintiff's counsel and the Litigation Guardian ad Litem and between Plaintiff and the Litigation Guardian ad Litem, together with the records, work product, and other activities of the Litigation Guardian ad Litem have the same privilege and confidentiality as is accorded to attorney-client communications.

F) The Litigation Guardian ad Litem is authorized to bill for his services at his current hourly rate at the time of the services, subject to final approval by the Court.

DATED 19 March 2020

Honorable James Robart

Presented by:

Tomas A. Gahan, WSBA No. 32779
Felix G. Luna, WSBA No. 27087
Attorneys for Plaintiff

Agreed for entry, presence waived:

Daniel L. Kinerk, WSBA No. 13537
Attorneys for Defendants

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